

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 12997 OF 2026

**SRI MONORANJAN PURKAIT
VS.
THE STATE OF WEST BENGAL AND OTHERS**

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Mr. Nitai Chandra Saha, Adv.
Mr. Abhijit Chandra Majumder, Adv.
...For the Petitioner
Ms. Suchitra Sinha Chatterjee, Adv.
Mr. Bhaskar Bhattacharyya, Adv.
...For the State
Ms. S. Hossain, Adv.
...For the Private Respondents

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. State respondents and respondent nos.6, 8, 11, 12, 14, 18, 23 and 24 are represented by learned advocates.
3. By presenting this writ petition, *inter alia*, petitioner has prayed for conducting investigation in accordance with law in Basanti P.S. Case No.371 of 2026 dated 26th May, 2026. In addition thereto direction is also prayed upon the concerned police authority which would permit the petitioner to make construction.
4. In support of making construction, reliance is placed on the order dated 18th December, 2025 passed by the Civil Court in Title Suit No.100 of 2021.
5. Learned advocate representing the State respondents submits that investigation is going on and respondent nos.6 and 24 have been arrested.
6. Since a criminal prosecution is initiated being Basanti P.S. Case No.371 of 2026 dated 26th May, 2026, concerned police authority is directed to expedite the

investigation and take the same to its logical conclusion at an early date by filing charge-sheet.

7. Though prayer is made for giving direction upon the concerned police authority to take steps which would facilitate the petitioner to make construction based on the order passed by Civil Court on 18th December, 2025, Court is not inclined to pass direction upon the concerned police authority since issue involved pertains to civil in nature requiring the petitioner to approach the Civil Court in pursuit of remedy.
8. Police authority is not the appropriate authority to decide *inter se* right of the parties over the land in question.
9. Writ petition stands disposed of.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)